

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>ORDER CANCELLING</b>
<b>BY ROBERT E. CROW, STEPHAN, SOUTH )</b>	<b>HEARING, DISMISSING</b>
<b>DAKOTA, AGAINST AT&amp;T COMMUNICATIONS )</b>	<b>COMPLAINT AND CLOSING</b>
<b>OF THE MIDWEST, INC. AND MIDSTATE )</b>	<b>DOCKET</b>
<b>COMMUNICATIONS, INC. REGARDING )</b>	
<b>DELAYED DISCONNECTION )</b>	<b>CT00-102</b>

On September 13, 2000, the Public Utilities Commission (Commission) received a complaint filed by Robert E. Crow, Stephan, South Dakota (Complainant), against AT&T Communications of the Midwest, Inc. (AT&T) and Midstate Communications, Inc. (Midstate) regarding delayed disconnection.

On September 15, 2000, the complaint was faxed to AT&T and Midstate. Pursuant to ARSD 20:10:01:09, AT&T and Midstate were notified that they must satisfy the complaint or file answers in writing with the Commission by October 5, 2000. On September 26, 2000, the Commission received a letter response from Midstate. On October 4, 2000, the Commission received a Motion for Extension of Time to File Answer from AT&T. AT&T requested a thirty day extension to file its answer and also requested that the hearing date be extended. AT&T stated in its motion that the Complainant did not object to the request. On October 11, 2000, the Commission received a Supplemental Motion for Extension of Time to File Answer from AT&T. AT&T stated in its supplemental motion that Midstate did not object to its request for an extension of time to file its answer.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

By order dated October 16, 2000, a hearing was scheduled for November 29, 2000, beginning at 9:00 A.M., in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. Commission Staff was contacted by Complainant who informed the Staff that settlement had been reached in this matter and he wished to have his complaint dismissed, so therefore the hearing is cancelled.

On November 2, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the hearing scheduled for November 29, 2000, is cancelled and this complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 9th day of November, 2000.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
---

BY ORDER OF THE COMMISSION:

\_\_\_\_\_  
JAMES A. BURG, Chairman

\_\_\_\_\_  
PAM NELSON, Commissioner

\_\_\_\_\_  
LASKA SCHOENFELDER, Commissioner